

DA 10-0157

IN THE SUPREME COURT OF THE STATE OF MONTANA

STATE OF MONTANA,

PLAINTIFF AND APPELLEE,

v.

JOEL MILES WHITE,

DEFENDANT AND APPELLANT,

FILED

APR 16 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

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MOTION FOR APPOINTMENT OF COUNSEL

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Pursuant to Montana Constitution, Art. II, Sect. 24 as well as the Sixth Amendment of the United States Constitution.

The Montana Supreme court has recognized that the right to counsel under the Montana Constitution is broader than the right afforded by the United States Constitution. *State v. Spang*, MT 120, ¶22, 310 Mont. 52 ¶22, 48 P.3d 727, ¶22 (2002). *State v. Johnson*, 221 Mont. 503, 514 - 515, 719 P.2d 1248, 1255 (1986). *State v. Garcia*, MT 211, ¶37, 317 Mont. 73, ¶37, 75 P.3d 313, ¶37 (2003).

Joel Miles White (white) hereby moves this court to appoint counsel to represent these matters in the above cause, since he is not versed in the processes of the law.

The effective assistance of counsel is critical to our adversarial system of Justice; a lack of effective counsel may impinge the fundamental fairness of the proceedings being challenged.

Done and dated this 14 day of April, 2010.

  
Joel Miles White, Appellant.


**CERTIFICATE OF SERVICE**

The undersigned certifies that on the 14 day of April 2010 a true and correct copy was placed in the U.S. Mail postage prepaid to :

ATTORNEY GENERAL  
STEVE BULLOCK  
215 NORTH SANDERS  
P.O. Bx 201401  
HELENA, MT 59620-1401

CLERK OF DISTRICT COURT  
ELIZABETH L. COLE  
ROSEBUD COUNTY  
P.O.Bx 48  
FORSYTH, MT 59327

Dated this 14 day of April, 2010.

  
Joel Miles White, Appellant.